

ORIGINAL

IN THE UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF GEORGIA
AUGUSTA DIVISION

FILED
DISTRICT COURT
AUGUSTA DIV.

2007 NOV -1 P 3:41

CLERK *J. McCarthy*
SO. DIST. OF GA.

ROOSEVELT ANTHONY,

Plaintiff,

v.

JOHN E. POTTER, Postmaster
General, United States Postal
Service,

Defendant.

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CIVIL ACTION NO.
CV 106-146

O R D E R


On October 11, 2007, Plaintiff Roosevelt Anthony was directed to serve process on Defendant by close of business on October 23, 2007. The current record does not indicate that Plaintiff has done so.

The complaint in this case was filed on September 18, 2006. Plaintiff has had more than ample time, indeed more time than the Federal Rules of Civil Procedure provide, within which to effect service. Plaintiff was forewarned that failure to effect service as directed would result in the dismissal of the case.¹ (See Order of Oct. 11, 2007.)

¹ The Court notes that Plaintiff filed two cases against the same defendant subsequent to filing the instant case. In Civil Action No. 107-002, Plaintiff has failed to effect timely service, and the case is subject to dismissal. In

Accordingly, the captioned case is **DISMISSED WITHOUT PREJUDICE**. The Clerk is directed to **CLOSE** the case.

ORDER ENTERED at Augusta, Georgia, this 14 day of November, 2007.


UNITED STATES DISTRICT JUDGE

Civil Action No. 107-108, Plaintiff has been directed to pay the filing fee of \$350.00 by November 8, 2007, or face dismissal of the case.